



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

TM:NMA
F.#2009R00195

271 Cadman Plaza East
Brooklyn, New York 11201

February 10, 2012

By Hand and ECF

The Honorable Sandra L. Townes
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Michael Persico
Criminal Docket No. 10-0147 (SLT)

Dear Judge Townes:

The government respectfully submits this letter in opposition to the defendant Michael Persico's January 25, 2012 request to modify the conditions of his bond. First, the defendant moves to have his travel conditions expanded to include the District of New Jersey. Given the nature of the charges against the defendant, which include murder and other acts of violence, and the fact that the defendant has provided absolutely no justification for his request, the government respectfully submits that his request should be denied.

Next, the defendant seeks to remove the Panarella property that was previously posted as collateral on his \$5 million bond. The government respectfully submits that this request should be denied unless and until the other sureties on the defendant's bond appear before the Court and agree to remain on the modified bond. See United States v. Gambino, 809 F. Supp. 1048 (S.D.N.Y. 1992) (finding sureties may be relieved from their

obligation if modification in bond substantially increases risk of flight and sureties are not given notice of the modification).

Respectfully submitted,

LORETTA E. LYNCH
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cc: Defense Counsel (by ECF)